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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)	Complete if Known	
	Application Number	09/670,562
	Filing Date	September 27, 2000
	First Named Inventor	Thomas G Woolston
	Group Art Unit	3627
	Examiner Name	Asfand Sheikh
Sheet 1 of 14		Attorney Docket No: 2043.566US5

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	Filing Date	September 27, 2000
	First Named Inventor	Thomas G Woolston
	Group Art Unit	3627
	Examiner Name	Asfand Sheikh
Sheet 2 of 14		Attorney Docket No: 2043.566US5

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/A.S./	Office Action, U.S. Patent Application Serial No. 09/166,779, (06/15/2001)	
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	Trial Proceedings, MercExchange, LLC v. eBay, Inc., et al., Civil Action No. 2:01cv736, Volume 5A, (04/29/2003), Pages 863-965	
	MercExchange Complaint in the United States District Court for the Eastern District of Virginia (the "district court") for patent infringement against eBay, Half.com and Returnbuy.com, Inc. ("eBay et al.") asserting infringement of the '265 Patent and '176, (09/26/2001)	
	defendant eBay et al. Answer to MercExchange's Complaint, alleging affirmative defenses of invalidity based on 35 U.S.C. Â?Â§ 102 (anticipation) and Â?Â§ 103 (obviousness), (11/07/2001)	
	MercExchange's motion to amend the Complaint to assert willful infringement, (11/21/2001)	
	district court order granted MercExchange's motion for leave to file an Amended Complaint, and directed defendants to file a responsive pleading within 11 days., (12/07/2001)	
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	MercExchange Interrogatories to eBay seeking the bases of its invalidity defenses., (01/23/2002)	
/A.S./	eBay's response to MercExchange's Interrogatories disclosing over 100 patents and 214 so-called "publications" including the following documents: (1) U.S. Patent No. 4,789,928 to Fujisaki (the "Fujisaki Patent"); (2) U.S. Patent No. 5,283,731 to Lalonde et, (02/22/2002)	

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/A.S./	<u>eBay's Second Supplemental Response to MercExchange's Interrogatories providing additional alleged "prior art" upon which it would rely at trial to support its invalidity defenses under '265 and '176 Patents, (08/30/2002)</u>	
	<u>eBay's supplemental Section 282 statement citing additional alleged "prior art". Again, this disclosure included the following documents: (1) the Gifford Patent; (2) the Lindsey Patent; (3) the Lalonde Patent; (4) the Kelly Patent; (5) the Nahan Patent; (6, (03/21/2003)</u>	
	<u>eBay's Pretrial Disclosures which included its proposed trial exhibit list. That exhibit list contained the same alleged "prior art" patents and "publications" upon which eBay now relies in its Requests for Reexamination., (03/31/2003)</u>	
	<u>Final Pretrial Order of the District Court. That Final Pretrial Order included the same materials upon which eBay relies in its Requests for Reexamination., (04/24/2003)</u>	
	<u>Judgment And Order executed by the Federal District Court for the Eastern District of Virginia of ReturnBuy.com, Inc., inter alia, admitting validity and infringement of U.S. Patent No. 5,845,265, (02/26/2003)</u>	
	<u>The district court's Final Pretrial Order included as triable issues the alleged invalidity of MercExchange's '265 and '176 Patents under Sections 102 and 103.</u>	
	<u>Trial Transcript at 2252-2495, 2584-3120 validity contentions concerning the art of record.</u>	
	<u>eBay's Renewed Motions for Judgment as a Matter of Law and for a new trial, asserting, again, invalidity of the '265 and '176 Patents., (06/12/2003)</u>	
	<u>Final Judgment of the Federal District Court of the Eastern District of Virginia finding that there was substantial evidence supporting the jury's verdict that MercExchange's '265 and '176 Patents were not invalid., (08/06/2003)</u>	
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/A.S./	<u>Exhibit re Sixth Question of Request for Ex Parte Reexamination of U.S. Patent No. 6,202,051 issued March 13, 2001, filed on December 11, 2006</u>	

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	First Named Inventor	Thomas G Woolston
	Group Art Unit	3627
	Examiner Name	Asfand Sheikh
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EXAMINER

/Asfand Sheikh/

DATE CONSIDERED

06/07/2009

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant is to place a check mark here if English language Translation is attached

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /A.S./